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Washington, Tuesday, January 13, 1959

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 722—COTTON

Proclamation of Results of Marketing Quota Referendum for 1959 Crop of Upland Cotton

§ 722.204 Basis and purpose.

The purpose of this proclamation is to announce the results of the marketing quota referendum for the 1959 crop of upland cotton. Under the provisions of the Agricultural Adjustment Act of 1958, as amended, the Secretary of Agriculture on September 29, 1958, proclaimed a national marketing quota for the 1959 crop of upland cotton (23 F.R. 7665), and on October 14, 1958, announced that a referendum would be held on December 15, 1958, to determine whether cotton farmers were in favor of or opposed to such quota (23 F.R. 8036). Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to the proclamation, application of the notice and public procedure requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary.

§ 722.205 Proclamation of results of the marketing quota referendum for the 1959 crop of upland cotton.

In a referendum held on December 15, 1958, of farmers engaged in the production of the 1958 crop of upland cotton, 274,943 farmers voted. Of those voting, 253,590, or 92.2 percent, favored the national marketing quota proclaimed by the Secretary of Agriculture for the 1959 crop of upland cotton, and 21,353, or 7.8 percent, opposed such quota. Therefore the national marketing quota of 12,167,000 bales proclaimed by the Secretary of Agriculture on September 29, 1958, for the 1959 crop of upland cotton shall continue in effect.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 342–345, 52 Stat. 56–58, as amended; 7 U.S.C. 1342–1345)

Done at Washington, D.C., this 7th day of January 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-257; Filed, Jan. 12, 1959; 8:45 a.m.]

PART 722—COTTON

Proclamation of Results of Marketing Quota Referendum for 1959 Crop of Extra Long Staple Cotton

§ 722.254 Basis and purpose.

The purpose of this proclamation is to announce the results of the marketing quota referendum for the 1959 crop of extra long staple cotton. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture on October 13, 1958, proclaimed a national marketing quota for the 1959 crop of extra long staple cotton (23 F.R. 7986), and on November 4, 1958, announced that a referendum would be held on December 15, 1958, to determine whether extra long staple cotton farmers were in favor of or opposed to such quota (23 F.R. 8736). Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to the proclamation, application of the notice and public procedure requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary.

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

§ 722.255 Proclamation of results of the marketing quota referendum for the 1959 crop of extra long staple cotton.

In a referendum held on December 15, 1958, of farmers engaged in the production of the 1958 crop of extra long staple cotton, 1,180 farmers voted. Of those voting, 1,044, or 88.5 percent, favored the national marketing quota proclaimed by the Secretary of Agriculture for the 1959 crop of extra long staple cotton, and 136, or 11.5 percent, opposed such quota. Therefore the national marketing quota of 73,989 bales proclaimed by the Secretary of Agriculture on October 13, 1958, for the 1959 crop of extra long staple cotton shall continue in effect.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 342-345, 347, 52 Stat. 56-59, as amended; 7 U.S.C. 1342-1345, 1347)

Done at Washington, D.C., this 7th day of January 1959. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-258; Filed, Jan. 12, 1959; 8:45 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. G]

PART 207—COLLECTION OF NONCASH ITEMS

Alaska

1. Effective January 3, 1959, footnote 1 to § 207.1 is amended to eliminate the word "Alaska," where it appears therein.

2. Effective January 3, 1959, § 207.51 is amended to eliminate the words "Alaska and" where they appear in the title and body of this section.

3. (a) These amendments make no change in substance but merely eliminate superfluous and inappropriate wording and recognize the fact that Alaska has become a State and is part of the Twelfth Federal Reserve District.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (Part 262 of this chapter), and specifically because in connection with this amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply secs. 13, 16, 38 Stat. 263, 265, as amended; 12 U.S.C. 248(o), 342, 360)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-269; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. H]

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Alaska

1. Effective January 3, 1959, footnote 1 to paragraph (a) of § 208.1 is amended to eliminate the words "in Alaska or" where they appear therein.

2. (a) The purpose of this amendment is to eliminate reference to Alaska since banks organized under the general laws of such State may become members of the Federal Reserve System under section 9 of the Federal Reserve Act.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with these amendments for the reasons and good cause found, as stated in § 262.2(e) of the Board's rules of procedure (Part 262), and especially because such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply sec. 9, 38 Stat. 259, as amended, 49 Stat. 715, 64 Stat. 873; 12 U.S.C. 321–338, 486, 1814(b), 1816)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-267; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. J]

PART 210—CHECK CLEARING AND COLLECTION

Alaska

1. Effective January 3, 1959, footnote 1 to § 210.3 is amended to eliminate the word "Alaska," where it appears therein.

2. Effective January 3, 1959, § 210.51 is amended to eliminate the words "Alaska and" where they appear in the title and body of this section.

3. (a) These amendments make no change in substance but merely eliminate superfluous and inappropriate wording and recognize the fact that Alaska has become a State and is part of the Twelfth Federal Reserve District.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (Part 262 of this chapter), and specifically because in connection with this amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply secs. 13, 16, 38 Stat. 263, 265, as amended; 12 U.S.C. 248(o), 342, 360)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-268; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. U]

PART 221—LOANS BY BANKS FOR PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

Alaska

1. Effective January 3, 1959, paragraph (i) of § 221.2 is amended by changing the figure "48" to "49" where it appears therein.

2. (a) The purpose of this amendment is to make this part applicable to all banks in Alaska.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (Part 262 of this chapter), and specifically because in connection with this amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 23, 48 Stat. 901, as amended; 15 U.S.C. 78w. Interpret or apply secs. 3, 7, 17, 48 Stat. 882, 886, 897; 15 U.S.C. 78c, 78g, 78q)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-270; Filed, Jan. 12, 1959; 8:47 a.m.]

[Reg. Y]

PART 222—BANK HOLDING COMPANIES

Loans of "Federal Funds" Between Banks in Same Holding Company System

§ 222.110 Loans of "Federal funds" between banks in same holding company system.

(a) The question has been asked whether "sales" of Federal funds, at current rates of interest, between bank subsidiaries of a holding company would constitute loans or extensions of credit within the purview of section 6(a)(4) of the Bank Holding Company Act, which forbids a bank "to make any loan, discount or extension of credit to a bank holding company of which it is a subsidiary or to any other subsidiary of such bank holding company."

(b) For many years the Federal Reserve System and other bank supervisory authorities have regarded such inter-bank transfers of Federal Reserve credit as loans (see 1930 Fed. Res. Bulletin 81), and the Board finds no reason to infer that these transactions have a different status under the Holding Company Act. Accordingly, in the Board's opinion, a sale of Federal funds would constitute a prohibited "loan" or "extension of credit" under section 6(a)(4).

(c) It is also the Board's view that sales of Federal funds are not exempted from the prohibitions of section 6(a) by the following provision of the last paragraph of that subsection:

> Noninterest-bearing deposits to the credit of a bank shall not be deemed to be a loan or advance to the bank of deposit * * *.

The 1930 ruling, cited above, clearly indicates that funds so transferred are not deposits in the "purchasing" bank. Accordingly, the quoted exception would not exempt Federal-funds transactions even if such transactions were on a noninterest-bearing basis.

(Sec. 5(b), 70 Stat. 137; 12 U.S.C. 1844)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-271; Filed, Jan. 12, 1959; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Dockets No. 6701 etc.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Sperry Rand Corp. et al.

Subpart — *Discriminating in price under section 2, Clayton Act, as amended*—Price discrimination under 2(a): § 13.715 *Charges and price differentials;* [*Discriminating in price under section 2, Clayton Act, as amended*]—Payment for services or facilities for processing or sale under 2(d): § 13.825 *Allowances for services or facilities.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist orders, Sperry Rand Corporation, New York, N.Y., Docket 6701; Schick Incorporated et al., Lancaster, Pa., Docket 6892; North American Philips Company, Inc., New York, N. Y., Docket 6900; November 3, 1958]

Subpart — *Discriminating in price under section 2, Clayton Act, as amended*—Furnishing services or facilities for processing, handling, etc., under 2(e): § 13.835 *"Demonstrators."*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist orders, Schick Incorporated et al., Lancaster, Pa., Docket 6892, and North American Philips Company, Inc., New York, N.Y., Docket 6900, November 3, 1958]

Subpart—*Maintaining resale prices:* § 13.1110 *Maintaining resale prices.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist orders, Sperry Rand Corporation, New York, N. Y., Docket 6701, and Schick Incorporated et al., Lancaster, Pa., Docket 6892, November 3, 1958]

Subpart—*Advertising falsely or misleadingly:* §13.75 *Free goods or services.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Schick Incorporated et al., Lancaster, Pa., Docket 6892, November 3, 1958]

In the Matter of Sperry Rand Corporation Docket No. 6701; Schick Incorporated et al., Docket No. 6892; North American Philips Company, Inc., Docket No. 6900

These proceedings were heard by hearing examiners on complaints of the Commission charging three major sellers of electric shavers in the United States with discriminating in price by selling their shavers to some purchasers at higher prices than those charged competitors and with making advertising allowances in varying amounts to some customers but not to others; charging two respondents with furnishing demonstrators to certain retail customers but not to others; charging two with fixing and maintaining minimum resale prices for customers with whom they themselves competed at wholesale and retail sale; and charging one with representing falsely that the purchaser of a man's shaver would receive a lady's shaver free.

Taking simultaneous action, the Commission on November 3 modified and adopted as modified separate initial decisions by the hearing examiners based on consent orders.

Allegations in Count I of all three complaints, charging violations of section 2(a) of the Clayton Act by reason of the fact that customers of respondents' wholesaler-purchasers were purchasers of respondents, were dismissed.

The orders to cease and desist ordered respondents in all three cases, their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale of electric shavers and related products, in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, to forthwith cease and desist from:

Discriminating, directly or indirectly, in the price of such products of like grade and quality by selling to any purchaser at net prices higher than the net prices charged any other purchaser competing in fact with such unfavored purchaser in the resale and distribution of such products; and from

Making or contracting to make, to or for the benefit of any customer acquiring respondents' electric shavers and related products from respondents, from wholesalers, or from any other source, any payment of anything of value as compensation or in consideration for any advertising or other services or facilities furnished by or through such customer, in connection with the handling, resale, or offering for resale of such products manufactured, sold, or offered for sale by respondents, unless such payment or consideration is made available on proportionally equal terms to all other such customers competing in fact with such favored customers in the resale or distribution of such products;

It is further ordered, That respondents Schick Incorporated and North American Philips Company, Inc., their officers, representatives, agents and employees, directly or through any corporate or other device in the course of their business in commerce, as "commerce" is defined in the aforesaid Clayton Act, as amended, do forthwith cease and desist from discriminating among competing purchasers:

By contracting to furnish, or furnishing, or by contributing to the furnishing of demonstrator services, or any other services or facilities connected with the handling, resale, or offering for resale of respondents' electric shavers and related products, to any purchaser acquiring such products from respondents, from wholesalers, or from any other source, unless such services or facilities are accorded on proportionally equal terms to all other such purchasers who compete in fact with such favored purchasers in the resale or distribution of such products;

It is further ordered, That respondents Sperry Rand Corporation and Schick Incorporated, their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale of electric shavers and related products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Fixing, establishing or maintaining by, or in accordance with the terms or conditions of, any contract, agreement or understanding, the prices, terms or conditions of sale at which their electric shavers or related products produced, distributed, or sold, directly or indirectly by respondents, are to be resold by any wholesaler or retailer when such products are being sold or offered for sale in competition with any branch, retail or service store, establishment, or business owned or controlled, by any means or method, by respondents;

It is further ordered, That respondents Schick Incorporated and Schick Service, Inc., their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale of electric shavers and related products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using the word "free", or any other word or words of similar import or meaning, in advertising or in other offers to the public, to designate or describe any electric shaver or related products:

(1) When all of the conditions, obligations or other prerequisites to the receipt and retention of the "free" article of merchandise are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the advertisement or offer might be misunderstood; or

(2) When, with respect to the article of merchandise required to be purchased in order to obtain the "free" article, the offerer either (a) increases the ordinary and usual price; or (b) reduces the quality; or (c) reduces the quantity or size of such article of merchandise.

By "Decision of the Commission", etc., in all three cases, reports of compliance were required as follows:

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order contained in the said initial decision, as modified.

Issued: November 3, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-256; Filed, Jan. 12, 1959; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Exemption of Small Holding Company Systems; Postponement of Rescission

The Securities and Exchange Commission today announced that postponement from December 31, 1958, to June 30, 1959, of the effective date for the rescission of § 250.9 (Rule 9) promulgated under the Public Utility Holding Company Act of 1935 ("Act"), which rule affords a basis for claiming exemption from all provisions of the Act by small holding company systems.

This further extension of the exemption provided by § 250.9 (Rule 9) is granted at the request of a few small holding companies which, by reason of special problems, find it impossible to complete their reorganization programs within the time heretofore provided.

(Sec. 20, 49 Stat. 833; 15 U.S.C. 79t)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

DECEMBER 22, 1958.

[F.R. Doc. 59-278; Filed, Jan. 12, 1959; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

Annual Reports of Persons Furnishing Cars or Protective Services

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 29th day of December A.D. 1958.

It appearing, that the matter of annual reports of persons furnishing cars or protective service being under further consideration and the changes to be effectuated by this order being minor changes in the data to be furnished, rule-making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 120.70 of the order of November 27, 1957, in the matter of Annual Report Form B-1, be, and it is hereby, modified and amended with respect to annual reports for the year ended December 31, 1958, and subsequent years, to read as shown below.

It is further ordered, That § 120.70, be, and it is hereby, modified and amended to read as follows:

§ 120.70 Annual reports of persons furnishing cars or protective service and owning 1,000 cars or more.

Commencing with the year ended December 31, 1958, and for subsequent years thereafter, until further order, all persons furnishing cars or protective service to or on behalf of carriers by railroad or express companies, within the scope of section 20, Part I of the Interstate Commerce Act, and owning 1,000 cars or more, are required to file annual reports in accordance with Annual Report Form B-1 (Persons Furnishing Cars or Protective Service), which is attached to and made a part of this section.[1] Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the one to which it relates.

And it is further ordered, That a copy of this order and of Annual Report Form B-1 shall be served on every person subject to the terms of such order, and that notice thereof shall be given to the general public by posting a copy thereof in the office of the Secretary of the Commission in Washington, D.C., and by filing a copy thereof with the Director, Federal Register Division.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U.S.C. 12, 904. Interpret or apply sec. 20, 24 Stat. 386, as amended, 54 Stat. 944, 49 U.S.C. 20, 913)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 59-275; Filed, Jan. 12, 1959; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 2009]

PART 192—OIL AND GAS LEASING

Miscellaneous Amendments

On pages 5735-5736 of the FEDERAL REGISTER of July 30, 1958, there was published a notice of proposed rule making of proposed amendments of §§ 192.3, 192.4, and 192.42 of the regulations applicable to oil and gas leasing. Interested parties were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments.

After careful consideration of the comments received, the proposed amendments, with certain changes as set forth below, are hereby adopted to take effect 30 days from publication hereof in the FEDERAL REGISTER.

FRED A. SEATON, *Secretary of the Interior.*

JANUARY 8, 1959.

1. Paragraphs (a) and (c) of § 192.3 are amended to read as follows, and new paragraphs (d) and (e) are added thereto:

§ 192.3 Acreage limitations.

(a) No person, association, or corporation, except as in the act provided, may hold more than 46,080 acres in any one State, or more than 100,000 acres in Alaska, whether directly through the ownership of leases or interests in leases and applications, or offers therefor or indirectly as a member of an association or associations, or as a stockholder of a corporation or corporations, holding leases or interests therein and applications or offers therefor. Leases or offers or applications for leases committed to any unit or cooperative plan approved or prescribed by the Secretary of the Interior shall not be included in computing accountable acreage. Leases or offers or applications for leases subject to an operating, drilling, or development contract approved by the Secretary of the Interior pursuant to section 17(b) of the act, other than communitization agreements, shall be excepted in determining the accountable acreage of the lessees or operators. Where, as the result of the termination or contraction of a unit or cooperative plan, or the elimination of a lease from an operating, drilling, or development plan, a party holds or controls excess accountable acreage, such party shall have 30 days from such termination or contraction or elimination in which to reduce his holdings to the prescribed limitation and to file proof of such reduction in the proper land office.

* * * * *

(c) No lease will be issued and no transfer or operating agreement will be approved until it has been shown that the offeror, transferee, or operator is entitled to hold the acreage or obtain the operating rights.

(d) At any time upon request by the authorized officer of the Bureau of Land Management, the record title holder of any lease or a lease operator or a lease offeror may be required to file in the appropriate land office a statement, showing as of a specified date the serial number and the date of each lease of which he is the record holder, or under which he holds operating rights, and each application or offer for lease held or filed by him in the particular State setting forth the acreage covered thereby, and the nature, extent and acreage interest, including royalty interests held by him in any oil and gas lease of which the reporting party is not the lessee of record, whether by corporate stock ownership, interest in unincorporated associations and partnerships, or in any other manner.

(e) (1) If any person holding or controlling only leases or interests in leases is found to hold accountable acreage in violation of the provisions of this section and of the act, the last lease or leases or interest or interests acquired by him which created the excess acreage holding shall be cancelled or forfeited in their entirety, even though only part of the acreage in the lease or interest constitutes excess holding, unless it can be shown to the satisfaction of the Director of the Bureau of Land Management that the holding or control of the excess acreage is not the result of negligence or willful intent, in which event the lease or leases shall be cancelled only to the extent of the excess acreage.

(2) If any person holding or controlling leases or interests in leases only, or applications or offers for leases only, or both leases or interest in leases and ap-

[1] Filed as part of original document.

plications or offers, below the acreage limitation provided in this section, files an application or offer, or a group of applications or offers (filed simultaneously), which causes him to exceed the acreage limitation, the application or offer, or group of applications or offers, causing the excess holding, will be rejected in its entirety.

(3) If any person holding or controlling both leases or interests in leases and applications or offers for leases, or only applications or offers for leases below the acreage limitation provided in this section, acquires a lease or leases, or interests therein, which cause him to exceed the acreage limitation, his most recently filed application or offer, or applications or offers, then containing acreage in excess of the limitation provided in this section will be rejected in its or their entirety. For the purpose of this subparagraph, time of filing shall be determined by the time of filing marked on the application or offer or, if the same time is marked on two or more applications or offers, by the serial number of the applications or offers.

(4) The provisions of this paragraph shall not limit any action which the Department may take with respect to excess acreage holdings in cases not otherwise covered by this paragraph.

§ 192.4 [Amendment]

2. Paragraphs (a) and (e) of § 192.4 are amended to read as follows:

(a) Acreage held under a nonrenewable option, valid only for three years or such longer period as may be authorized by the Secretary, shall not be chargeable under § 192.3, but no optionee may hold options on leases or offers to lease at any one time for more than 200,000 acres in any one State.

* * * * *

(e) Each optionee must file in the appropriate land office within 90 days after June 30 and December 31 of each year duplicate statements under oath, showing as of the prior June 30 and December 31, respectively (1) name of optioner and serial number of lease, application or offer for lease subject to option; (2) date and expiration date of each option; (3) number of acres covered by each option, and (4) aggregate number of options held in each State, and total acreage thereof. Options statements covering lands in the State of California shall be filed in the land office at Sacramento, California, and statements covering lands in Alaska shall be filed in the land office at Anchorage, Alaska.

§ 192.42 [Amendment]

3. Subparagraph (3) of paragraph (e) of § 192.42 is amended and subdivided to read as follows:

(e) Each offer, when first filed, shall be accompanied by:

* * * * *

(3) (i) Except in a case where an officer of a corporation signs an offer on behalf of the corporation (as to which see paragraph (f) of this section), evidence of the authority of the attorney in fact or agent to sign the offer and lease, if the offer is signed by such attorney or agent on behalf of the offeror.

(ii) If such offeror is an individual, a statement over the offeror's signature setting forth the offeror's citizenship and whether the offeror's direct and indirect interests in oil and gas leases, applications, and offers therefor, exceed 46,080 chargeable acres in the same State, or exceed 100,000 acres in Alaska.

(iii) A signed statement by the offeror that he is the sole party in interest in the offer and the lease, if issued; if not he shall set forth the names and the nature and extent of the interest therein of the other interested parties, the nature of the agreement between them, if oral, and a copy of such agreement, if written. Such statement must be signed by all of the interested parties including the offeror, and all interested parties must furnish evidence of their qualifications to hold such lease interests. Such statement must be filed not later than 15 days after the filing of the lease offer.

(Sec. 32, 41 Stat. 450; 30 U.S.C. 189)

[F.R. Doc. 59-334; Filed, Jan. 9, 1959; 4:24 p.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1772]

[BLM 046239]

MISSISSIPPI

Reserving Lands Within National Forests for Use of Forest Service, Department of Agriculture, for Research Purposes

By virtue of the authority vested in the President by the Act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the De Soto National Forest, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws nor the disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Forest Service, Department of Agriculture, in connection with research projects being conducted in furtherance of the Act of May 22, 1928 (45 Stat. 699; 16 U.S.C. 581, 581a-581k) as amended:

ST. STEPHENS MERIDIAN

DE SOTO NATIONAL FOREST

Harrison Experimental Forest

T. 5 S., R. 11 W.,
Sec. 1, NE¼NW¼.

The area described contains 40 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 7, 1959.

[F.R. Doc. 59-272; Filed, Jan. 12, 1958; 8:47 a.m.]

[Public Land Order 1773]

[80096]

ARIZONA

Revoking Executive Order of December 16, 1882, Which Reserved Lands for Moqui (or Hopi) Reservation

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The Executive Order of December 16, 1882, withdrawing from settlement or sale and setting apart the following-described tract of country in Arizona for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior might see fit to settle therein, is hereby revoked:

Beginning on the one hundred and tenth degree of longitude west of Greenwich, at a point 36°30′ north; thence due west to the one hundred and eleventh degree of longitude west; thence due south to a point of longitude 35°30′ north; thence due east to the one hundred and tenth degree of longitude west; thence due north to place of beginning.

The lands were declared by the act of July 22, 1958 (72 Stat. 402), to be held by the United States in trust for the Hopi Indians and such other Indians, if any, as theretofore had been settled thereon by the Secretary of the Interior pursuant to the Executive Order of December 16, 1882.

This order, therefore, has no effect upon the lands involved in the withdrawal of December 16, 1882, other than as an administrative measure to clear the records of such withdrawal.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 6, 1959.

[F.R. Doc. 59-273; Filed, Jan. 12, 1959; 8:47 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 192]

OIL AND GAS LEASES

Boundaries of Known Geologic Structures and Productive Limits of Producing Oil or Gas Fields and Deposits

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 32 of the Act of February 25, 1920 (41 Stat. 450, 30 U.S.C. 189, it is proposed to amend 43 CFR 192.6 as set forth below. The amendment would delete the second sentence of § 192.6, relating to the filing of maps or diagrams in connection with the determination of boundaries of the known geologic structures of producing oil or gas fields and of the productive limits of producing oil or gas deposits. It is not and never has been the practice of the Department to place such maps or diagrams on file in connection with all determinations under this section. The purpose of the amendment is to prevent any misunderstanding as to the Department's practice in this regard.

The proposed amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit in triplicate written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ELMER F. BENNETT,
Acting Secretary of the Interior.

JANUARY 6, 1959.

Section 192.6 is amended to read as follows:

§ 192.6 Boundaries of known geologic structures and productive limits of producing oil or gas fields and deposits.

The Director of the Geological Survey will determine the boundaries of the known geologic structures of producing oil or gas fields, and, where necessary to effectuate the purposes of the act, the productive limits of producing oil or gas deposits as such limits existed on August 8, 1946. Any lessee or his operator may apply to have a determination made as to whether or not the land upon which he intends to drill a well is inside or outside the productive limits of a producing oil or gas deposit. The application should be accompanied by all available geologic data which in his opinion have a bearing on the matter.

[F.R. Doc. 59-274; Filed, Jan. 12, 1959; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 937]

NECTARINES GROWN IN CALIFORNIA

Approval of Financial Reserve and Revision of Expenses and Rate of Assessment for Initial Fiscal Year

Consideration is being given to the following proposal submitted by the Nectarine Administrative Committee established under the marketing agreement and Order No. 37 (7 CFR Part 937; 23 F.R. 4616) regulating the handling of nectarines grown in California, effective June 25, 1958, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), as the agency to administer the terms and provisions thereof.

The proposal is that the Secretary approve a revised budget of expenses and rate of assessment so as to include therein the inspection expense and assessment and provide for the carryover of excess assessments as a financial reserve. The previously approved budget and rate of expenses (§ 937.201; 23 F.R. 5895) covered only the portion of the expenses exclusive of the cost of inspection. Such budget was $19,460, and the rate of assessment was one cent ($0.01) per standard lug or equivalent quantity, of nectarines. The committee, in accordance with provisions of § 937.55, entered into an agreement with the Federal State Inspection Service, under which the committee would be responsible for paying to such service the costs of inspection. To enable it to cover its costs, the committee billed each handler of nectarines a total of 4 cents ($0.04) for each standard lug, or equivalent quantity, of nectarines handled by such handler as the first handler thereof. Income of $74,000 is expected from billings already made by the committee, and such amount is sufficient to cover expenses for the season ending March 31, 1959, including the proposed financial reserve. Hence, no additional billing of handlers would be occasioned by the proposed budget revision.

The proposal would be effectuated by amending § 937.201 to read as follows:

§ 937.201 Expenses and rate of assessment for the initial fiscal period.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the initial fiscal period beginning June 25, 1958, and ending February 28, 1959, will amount to $74,000.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles nectarines shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said marketing agreement and order is hereby fixed at four cents ($0.04) per standard lug box, or equivalent quantity of nectarines in other containers or in bulk so handled by such handler during such initial fiscal period.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ending February 28, 1959, but not to exceed $16,000.00, shall be carried over as a reserve in accordance with the applicable provisions of § 937.42 of the said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Room 2077, South Building, Washington 25, D.C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order, and "standard lug box" shall mean the No. 26 standard lug box set forth in section 828.4 of the Agricultural Code of California.

Dated: January 8, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-299; Filed, Jan. 12, 1959; 8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 20]

FROZEN DESSERTS; DEFINITIONS AND STANDARDS OF IDENTITY

Further Extension of Time for Filing Exceptions

In the matter of definitions and standards of identity for ice cream, frozen custard, sherbert, water ices, and related foods:

By a notice published in the FEDERAL REGISTER of September 17, 1958 (23 F.R. 7183), the time for filing exceptions to the proposed order in the above entitled matter, was extended to January 15, 1959.

The Commissioner of Food and Drugs, having been petitioned by interested persons who appeared at the hearing to extend further the period of time allowed for filing such written exceptions, and good cause therefor appearing: *It is ordered,* That the time for filing such ex-

ceptions be extended to March 1, 1959, and there will be no further extension.

Dated: January 7, 1959.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 59-279; Filed, Jan. 12, 1959; 8:49 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Residues of 1-Methoxycarbonyl-1-Propen-2-yl Dimethyl Phosphate and its Beta Isomer

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

A petition has been filed by Shell Chemical Corporation, 460 Park Avenue, New York 22, New York, proposing the establishment of a tolerance of 0.25 part per million for residues of 1-methoxycarbonyl-1-propen-2-yl dimethyl phosphate and its beta isomer in or on each of the following raw agricultural commodities: Grapefruit, lemons, oranges.

The analytical method proposed in the petition for determining residues of 1-methoxycarbonyl-1-propen-2-yl dimethyl phosphate and its beta isomer is that described in the FEDERAL REGISTER of May 4, 1957 (22 F.R. 3187).

Dated: January 6, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 59-280; Filed, Jan. 12, 1959; 8:49 a.m.]

NOTICES

ATOMIC ENERGY COMMISSION

[Docket No. 50-104]

AEROJET-GENERAL NUCLEONICS

Notice of Issuance of Facility Export License

Please take notice that no request for formal hearing having been filed following filing of notice of the proposed action with the Federal Register Division the Atomic Energy Commission has issued License No. XR-25 to Aerojet-General Nucleonics authorizing the export of a 100 milliwatt research reactor to Instituto di Fiscia, Facolta D'Ingegneria, University of Palermo, Palermo, Sicily, Italy. Notice of proposed issuance of this license was published in the FEDERAL REGISTER on May 3, 1958, 23 F.R. 2991.

Dated at Germantown, Md., this 7th day of January 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

[F.R. Doc. 59-285; Filed, Jan. 12, 1959; 8:50 a.m.]

[Docket No. 50-75]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notice of Issuance of License

Please take notice that no request for a formal hearing having been filed following the filing of notice of the proposed action with the Federal Register Division on October 16, 1958, the Atomic Energy Commission has issued Facility License No. CX-13 authorizing the National Aeronautics and Space Administration to possess and operate a zero power solution type reactor at its Lewis Research Center in Cleveland, Ohio. Notice of the proposed action was published in the FEDERAL REGISTER on October 17, 1958, 23 F.R. 8037. The facility has been inspected by representatives of the Commission and found to have been constructed in compliance with the applicable terms and conditions of the construction permit and application, as amended.

The applicant filed two amendments to its license application dated October 31, 1958, and December 2, 1958, subsequent to the aforementioned publication in the FEDERAL REGISTER. The October 31 amendment (1) describes a change in the maximum pumping rate of the fuel pump from about 4 liters per minute to about 8 liters per minute, (2) describes changes in the control instrumentation of the facility, (3) describes other minor design changes that have been made in the facility, and (4) corrects certain minor errors in the description of the reactor contained in various documents. The December 2 amendment requests that the maximum allowable leakage rate from the control room be raised to 2 percent per day when the room is at an overpressure of 1.4 p.s.i. from the previously anticipated ½ percent per day at the same overpressure. This amendment provides calculations, with which we agree, showing that in the event of the occurrence of the maximum credible accident the 2 percent per day leakage rate would not result in a radiation dose to the public in excess of the limits set forth in the Commission's regulation 10 CFR Part 20. The Commission has found that further prior public notice of proposed issuance of this license is not necessary in the public interest since the changes in the facility and its operation set forth in the two amendments do not present any substantial changes in the hazards to the health and safety of the public from those presented by the operation of the facility as described in the previously published notice of proposed issuance of facility license.

Since these two amendments have been filed subsequent to the publication of the notice of proposed issuance of the license the Commission will, in accordance with its rules of practice (10 CFR Part 2), direct the holding of a formal hearing on the matter of the issuance of the license upon receipt of a request therefor from the licensee or an intervener within thirty days after the issuance of the license. For further details see the application for license and amendments thereto submitted by National Aeronautics and Space Administration.

Dated at Germantown, Md., this 5th day of January 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

[F.R. Doc. 59-286; Filed, Jan. 12, 1959; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

January 1959 Monthly Sales List

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on credit sales made in January under the Export Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 3⅝ percent per annum.

For periods over 6 months up to and including 18 months, 4⅛ percent per annum.

For periods over 18 months up to and including 36 months, 4⅝ percent per annum.

NOTICE TO EXPORTERS

REVISION OF OCTOBER 21, 1958

The Department of Commerce, Bureau of Foreign Commerce (BFC), pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to the Soviet Bloc, or Communist-controlled areas of the Far East including Communist China, North Korea and the Communist-controlled areas of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of Foreign Commerce. A validated license is also required for shipment to Hong Kong or Macao unless the commodity is included on the general license GHK list.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves $10,000 or more and exportation is to be made to a Group R country, obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, 15 CFR 371.4 and 371.8) against sales or resale for re-export of said commodities, or any part thereof, without express Commerce Department authorization, to the Soviet

Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Hong Kong or Macao unless the commodity is on the general License GHK list (CES, 15 CFR 371.23), and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by that agency. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirement for obtaining the signed acknowledgment from the foreign purchaser.

For all exportations, one of the destination control statements specified in BFC Regulation (Comprehensive Export Schedule, 15 CFR 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of Foreign Commerce or one of the field offices of the Department of Commerce.

JANUARY 1959 MONTHLY SALES LIST

NOTICE TO BUYERS

If CCC does not have adequate information as to the financial responsibility of prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct.

If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the CSS Office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list. Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements which amendments shall be applicable to and be made a part of the sales contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered promptly upon appearance by public notice issued by the appropriate CSS Office and therefore generally they do not appear in the Monthly Sales List.

NOTICE TO EXPORT BUYERS

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic, unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

Commodity	Sales price or method of sale
Dairy products	All sales are under LD-29 and amendments. All sales are in carlots only. As many as 3 buyers may participate in purchasing a single carlot. Domestic price: For unrestricted use price is "in store"[1] at storage locations of products. For restricted use price is on the basis of delivery f.o.b. cars at point of use named in offer. CCC will convert to "in store" price as provided in LD-29. Export prices are on the basis of delivery f.a.s. vessel or a buyers option f.o.b. cars point of export. If delivery is to be "in store" CCC will convert to "in store" price as provided in LD-29. Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Butter	Domestic, unrestricted use: 68 cents per pound, New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 67¼ cents per pound, Washington, Oregon, and California. All other States 67 cents per pound. Domestic, restricted use: For use as an extender for cocoa butter in the manufacture of chocolate and in such a manner as will not displace other dairy products from use in the manufacture of other products made from chocolate, 39 cents per pound. Export, unrestricted use: 39 cents per pound.
Nonfat dry milk (spray roller) as available.	Domestic, unrestricted use: Spray process, U.S. extra grade: In barrels and drums, 16.25 cents per pound; in bags, 15.40 cents per pound. Roller process, U. S. extra grade: In barrels and drums, 14.25 cents per pound; in bags, 13.40 cents per pound. Domestic, restricted use (animal and poultry feed): In barrels, drums, or bags, 10.65 cents per pound. Export, unrestricted use: Spray or roller process, U.S. extra grade: In barrels and drums, 9.9 cents per pound; in bags, 9.05 cents per pound.
Cotton, upland	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-5, (Revision D), as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcements CN-EX-5 and NO-C-11, as amended.
Cotton, extra long staple	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-6, as amended, and NO-C-10, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcements NO-C-6, as amended, and NO-C-10, as amended. Catalogs for upland and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office.
Peanuts, shelled and unshelled (as available).	Domestic for crushing or export: Competitive bid under CCC Peanut Announcement 1, as amended. Available Dallas CSS Commodity Office.
Wheat, bulk	Domestic: Commercial wheat-producing area: A. For wheat stored at any designated terminal set forth in CCC Price Support Bulletin Supplement and transit billing wheat: Market price basis in store but not less than the 1958 applicable loan rates plus (1) 22 cents per bu. if received by truck or (2) 17 cents per bu. if received by rail or barge. B. For wheat not included under A above: Market price but not less than the 1958 applicable loan rate plus (1) 22 cents per bu. if received by truck or 17 cents if received by rail, plus (2) any reductions in freight rates, in effect at time of sale, from those in effect on May 1, 1958, from the point of storage to the designated terminal.[2] Examples of the foregoing minimum per bushel (exrail or barge): Chicago, No. 1 RW ..... $2.32 Minneapolis, No. 1 DNS ..... 2.37 Kansas City, No. 1 HW ..... 2.32 Portland, No. 1 SW ..... 2.22 Noncommercial wheat-producing area: Same basis as in commercial area except 133 percent of applicable support rate. If delivery is outside the area of production, applicable freight will be added to the above. Export, (as wheat): Under Announcement GR-261 revised, as amended, for application to barter contracts and approved credit sales only at prices determined daily, and under Announcement GR-212 revised, amended, for specific offerings as announced. Disposals under Payment-in-Kind program under Announcement GR-345. Available Dallas, Evanston, Minneapolis, Kansas City, and Portland CSS Commodity Offices for domestic or export sale, except under GR-345 at Dallas, Evanston, Minneapolis, and Portland when announced.
Rice, milled (as available)	Domestic, unrestricted use: Market price but not less than equivalent 1958 loan rate for rough rice by varieties and grades plus 5 percent adjusted for milling, plus 46 cents per hundredweight basis in store. Prices and quantities available by varieties and grades may be obtained from Dallas and Portland CSS Commodity Offices. Example of minimum prices of milled rice per hundredweight, at mills:

	U.S. No. 3	U.S. No. 4	U.S. No. 5
Blue Bonnet	$10.05	$9.35	$8.58
Century Patna	9.12	8.53	7.86

Rice, milled, broken (as available)	Export: Prices and quantities available by varieties and grades may be obtained from Dallas and Portland CSS Commodity Offices for application to approved barter contracts and approved credit and emergency sales. Domestic, unrestricted use: Market price but not less than equivalent 1958 loan rate for rough rice (support factor for broken rice) plus 5 percent adjusted for milling and class plus 39 cents per hundredweight basis in store.
Rice, rough	Domestic: Market price but not less than the 1958 loan rate plus 5 percent, plus 35 cents per hundredweight, basis in store. Prices and quantities available by varieties may be obtained from Dallas CSS Commodity Office, or from Portland CSS Commodity Office for Pearl and Calrose. Export: For export as milled or brown under Announcement GR-369, Rice Export Program, Payment-in-Kind. Also prices and quantities available by varieties for export as milled or brown rice under approved barter contracts and approved credit and emergency sales.

See footnotes at end of table.

Commodity	Sales price or method of sale
Corn, bulk	Domestic: Commercial corn-producing area: Market price, basis in store,[2] but not less than the 1958 applicable loan rate for corn produced in compliance with 1958 acreage allotments plus: (1) a markup of 14 cents per bushel for corn in storage at point of production, (2) a markup of 16 cents per bushel and the rail freight from point of production to the present point of storage for corn in storage at other than point of production. Examples of the foregoing minimum price per bushel for No. 2 yellow corn, 13.3% moisture and 1.4% foreign material including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively: Chicago ..... $1.71¼ Minneapolis ..... 1.60¼ Noncommercial corn-producing area: Market price, basis in store,[2] but not less than 133 percent of the applicable 1958 loan rate plus markups as above. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices. Non-storable corn, unrestricted use (as available): At other than bin sites, through the above offices. At bin sites, through ASC County Offices. Export: Under Announcement GR-212 revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-368, for Feed Grain Payment-in-Kind Program.
Oats, bulk	Domestic: Market price, basis in store,[2] but not less than the 1958 applicable loan rate, plus (1) a markup of 12 cents per bushel for oats in storage at point of production, (2) a markup of 14 cents per bushel and the rail freight from point of production to present point of storage for oats in storage at other than the point of production. Examples of the foregoing minimum price per bushel including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively: Chicago, No. 3 oats or better ..... $0.83¼ Minneapolis, No. 3 oats or better ..... .77½ Available Minneapolis, Evanston, Kansas City, Portland and Dallas CSS Commodity Offices. Export: Under Announcement GR-212 revised, amended, for application to barter contracts and approved credit and emergency sales and under Announcement GR-368 for Feed Grain Payment-in-Kind Program.
Barley, bulk	Domestic: A. For barley stored at any designated terminal set forth in CCC Price Support Bulletin Supplement and transit billing barley: Market price basis in store but not less than the 1958 applicable loan rates plus (1) 16 cents per bushel if received by truck or (2) 13 cents per bushel if received by rail or barge. B. For barley not included under A above: Market price but not less than the 1958 applicable loan rate plus (1) 16 cents per bushel if received by truck or 13 cents per bushel if received by rail, plus (2) any reductions in freight rates in effect at time of sale from those in effect on May 1, 1958, from the point of storage to the designated terminal.[3] If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis, No. 2 barley ..... $1.31 Export: Under Announcement GR-212 revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-368 for Feed Grain Payment-in-Kind Program. Available Minneapolis, Evanston, Kansas City, Portland, and Dallas CSS Commodity Offices.
Rye, bulk	Domestic: A. For rye stored at any designated terminal set forth in CCC Price Support Bulletin Supplement and transit billing rye: Market price basis in store but not less than the 1958 applicable loan rates plus (1) 19 cents per bushel if received by truck or (2) 14 cents per bushel if received by rail or barge. B. For rye not included under A above: Market price but not less than the 1958 applicable loan rate plus (1) 19 cents per bushel if received by truck or 14 cents per bushel if received by rail, plus (2) any reductions in effect on May 1, 1958, from the point of storage to the designated terminal.[3] If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis, No. 2 or better ..... $1.48 Available Evanston, Kansas City, Minneapolis, Portland and Dallas CSS Commodity Offices. Export: Under Announcement GR-212, revised, amended, for application to approved credit and emergency sales, and under Announcement GR-368 for Feed Grain Payment-in-Kind Program.
Grain sorghums, bulk	Domestic: A. For grain sorghums originating in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington or stored at any designated terminal set forth in CCC Price Support Bulletin Supplement and transit billing grain sorghums: Market price basis in store but not less than the 1958 applicable loan rates plus (1) 33 cents per hundredweight if received by truck or (2) 24 cents per hundredweight if received by rail or barge. B. For grain sorghums not included under A above: Market price but not less than the 1958 applicable loan rate plus (1) 33 cents per hundredweight if received by truck or 24 cents per hundredweight if received by rail, plus (2) any reductions in effect on May 1, 1958, from the point of storage to the designated terminal.[3] If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per hundredweight (exrail or barge): Kansas City, No. 2 or better ..... $2.55 Available Dallas, Portland, and Kansas City CSS Commodity Offices. Export: Under Announcement GR-212 revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-368, for Feed Grain Payment-in-Kind Program.
Soybeans, bulk 1957 crop	Domestic (for crushing) or export: Market price basis in store but not less than the 1957 basic loan rate for No. 2 grade, basis point of production plus 5 cents per bushel. Market discounts for quality factors will be applied to the basic price to determine the actual minimum sales prices.[1] If delivery is outside of the area of production, applicable freight and out-elevation charges at country loading point and in-elevation charges at subterminal or terminal storage point will be added to the above price. Available Evanston, Kansas City, and Minneapolis CSS Commodity Offices.
Burley tobacco (as available)	Domestic or export, unrestricted use: Competitive bid and/or fixed prices under the terms and conditions of announcement to be issued. This announcement will cover a limited quantity (about 11 million pounds). Copies of such announcement, when issued, may be obtained from the Tobacco Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C.
Gum rosin	Domestic or export: Offer and acceptance basis "as is" in galvanized metal drums (averaging 517# net) in the stated quantities and on the designated storage yards, subject to the terms and conditions of Announcement TB-21 (revised) and supplements thereto which will be issued monthly. Available through the American Turpentine Farmers Assn. Coop., Valdosta, Ga.
Gum turpentine	Domestic or export: Offer and acceptance basis, "as is", bulk in tanks in the stated quantities and in the designated storage tanks subject to the prices, terms and conditions of Announcement TB-21 (revised) and supplements thereto which will be issued monthly. Available through ATFA, Valdosta, Ga.
Tung oil	Export: Competitive bid under Announcement CT-OP-10 by Cincinnati CSS Commodity Office.

See footnotes at end of table.

[1] At the processor's plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyers.

[2] In those counties in which grain is stored in CCC binsites, delivery will be made f.o.b. buyer's conveyance at bin sites without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements with the warehouse for storage documents.

[3] This provision is necessary to insure continuation of CCC sales at terminal locations in their normal ratio to sales at non-terminal locations. The minimum sales prices of these grains at affected locations will be increased by an amount corresponding to any decrease since May 1, 1958, in the freight rates from the point of storage to a designated terminal. CSS Commodity Offices will furnish freight rate information upon request.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427, sec. 208, 63 Stat. 901)

Issued: January 8, 1959.

[SEAL]

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-300; Filed, Jan. 12, 1959; 8:51 a.m.]

FARM CREDIT ADMINISTRATION

[Farm Credit Administration Order 675]

CERTAIN OFFICERS

Authority and Order of Precedence to Act as Deputy Governor and Director of Short-Term Credit Service

JANUARY 7, 1959.

1. Martin H. Uelsmann, Deputy Director of Short-Term Credit Service, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Short-Term Credit Service in the event that the Deputy Governor and Director is unavailable to act by reason of absence or for any other cause.

2. Paul Fankhauser, Deputy Director of Short-Term Credit Service, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Short-Term Credit Service in the event that the Deputy Governor and Director and Deputy Director Uelsmann are unavailable to act by reason of absence or for any other cause.

3. Walter F. Patterson, Assistant Deputy Director of Short-Term Credit Service, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Short-Term Credit Service in the event that the Deputy Governor and Director and both Deputy Directors are unavailable to act by reason of absence or for any other cause.

4. This order shall be and become effective on the date above written and supersedes Farm Credit Administration Order No. 629 (20 F.R. 5151).

[SEAL] R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 59-282; Filed, Jan. 12, 1959; 8:49 a.m.]

[Farm Credit Administration Order 676]

CERTAIN OFFICERS

Authority and Order of Precedence; Officers To Act as Deputy Governor and Director of Cooperative Bank Service

JANUARY 7, 1959.

1. Robert C. Mahone, Deputy Director of Cooperative Bank Service is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Cooperative Bank Service in the event that the Deputy Governor and Director is unavailable to act by reason of absence or for any other cause.

2. Noel G. Stocker, Adminstrative Officer, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Cooperative Bank Service in the event that the Deputy Governor and Director and Deputy Director Mahone are unavailable to act by reason of absence or for any other cause.

3. This order shall be and become effective on the date above written and supersedes Farm Credit Administration Order No. 646.

[SEAL] R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 59-283; Filed, Jan. 12, 1959; 8:49 a.m.]

[Farm Credit Administration Order 677]

CERTAIN OFFICERS

Authority and Order of Precedence To Act as Deputy Governor and Director of Land Bank Service

JANUARY 7, 1959.

1. R. E. Nowlan, Deputy Director of Land Bank Service, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director is unavailable to act by reason of his absence or for any other cause.

2. Don H. Bushnell, Deputy Director of Land Bank Service (Chief of Appraisals), is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director and Deputy Director Nowlan are unavailable to act by reason of absence or for any other cause.

3. Paul Tomasello, Chief of NFLA Operations, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director, Deputy Director Nowlan, and Deputy Director (Chief of Appraisals) Bushnell are unavailable to act by reason of absence or for any other cause.

4. This order shall be and become effective on the date above written and supersedes Farm Credit Administration Order No. 632 (20 F.R. 5957).

[SEAL] R. B. TOOTELL,
Governor,
Farm Credit Administration.

[F.R. Doc. 59-281; Filed, Jan. 12, 1959; 8:49 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

KANSAS

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, Executive Order 10773 of July 1, 1958, and Executive Order 10782 of September 6, 1958 (18 F.R. 407, 22 F.R. 8799, 23 F.R. 5061, and 23 F.R. 6971); by virtue of the act of September 30, 1950, entitled "An Act to authorize Federal Assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; and in furtherance of a declaration by the President in his letter to me, dated November 6, 1958, reading in part as follows:

> I hereby determine the damage in the various areas of Kansas adversely affected by floods occurring on July 10, 11, 30, and 31, and on September 4 and 5, 1958, to be of sufficient severity and magnitude to warrant Federal assistance to supplement State and local efforts.

I do hereby determine the following counties in the State of Kansas to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 6, 1958:

Atchison, Clay, Cloud, Nemaha, Republic, and Washington.

Dated: December 23, 1958.

LEO A. HOEGH,
Director.

[F.R. Doc. 59-259; Filed, Jan. 12, 1959; 8:45 a.m.]

TEXAS

Amendment to Notice of Major Disaster

Notice of Major Disaster, published July 3, 1958, for the State of Texas (23 F.R. 5106–5107) is hereby amended to include the following among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 6, 1958:

Collingsworth.

Dated: December 23, 1958.

LEO A. HOEGH,
Director.

[F.R. Doc. 59-260; Filed, Jan. 12, 1959, 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 12199, 12200; FCC 59M-7]

KOOS, INC. (KOOS–TV) AND PACIFIC TELEVISION, INC.

Order Continuing Hearing

In re applications of Koos, Inc. (KOOS–TV), Coos Bay, Oregon, Docket No. 12199, File No. BMPCT-4680; for modification of construction permit (from Channel 16 to Channel 11); Pacific Television, Inc., Coos Bay, Oregon, Docket No. 12200, File No. BPCT-2309; for construction permit for a new television broadcast station (Channel 11)

The Hearing Examiner having under consideration a motion filed January 5, 1959, on behalf of Pacific Television, Inc., requesting that the date for the commencement of the hearing be continued from January 8 to February 25, 1959; and

It appearing that all other counsel have informally consented to the continuance, and that a granting of the motion will conduce to the orderly dispatch of the Commission's business;

Now therefore, it is ordered, This 6th day of January 1959, that the above motion is granted, and that the commencement of the hearing is continued from January 8 to February 25, 1959.

Released: January 6, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-287; Filed, Jan. 12, 1959; 8:50 a.m.]

[Docket Nos. 12258, 12260; FCC 59M-14]

WABASH VALLEY BROADCASTING CORP. AND ILLIANA TELECASTING CORP.

Order Continuing Hearing

In re applications of Wabash Valley Broadcasting Corporation, Terre Haute, Indiana, Docket No. 12258, File No. BPCT-2293; Illiana Telecasting Corporation, Terre Haute, Indiana, Docket No. 12260, File No. BPCT-2392; for construction permits for new television broadcast stations (Channel 2).

The Hearing Examiner having under consideration motion for continuance filed by Wabash Valley Broadcasting Corporation on January 2, 1959;

It appearing that counsel have informally agreed (1) that the above motion will be deemed temporarily withdrawn provided such motion may be reinstated at a later date if petitioner so desires; and (2) that a short continuance of the dates for various procedural steps herein should be granted as hereinafter set forth;

It is ordered, This 6th day of January 1959, that the above motion is dismissed without prejudice to reinstatement at a later date if petitioner so desires;

It is further ordered, That the dates designated for various procedural steps herein are postponed as follows:

	From—	To—
Date for exchange of exhibits	Jan. 12, 1959	Jan. 26, 1959
Date for further prehearing conference	Jan. 21, 1959	Feb. 6, 1959
Hearing date	Feb. 2, 1959	Feb. 12, 1959

Released: January 7, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-288; Filed, Jan. 12, 1959; 8:50 a.m.]

[Docket Nos. 12556, 12557; FCC 59M-10]

BERKSHIRE BROADCASTING CO., INC. (WSBS) AND NAUGATUCK VALLEY SERVICE, INC.

Order Scheduling Prehearing Conference

In re applications of Berkshire Broadcasting Co., Inc. (WSBS), Great Barrington, Massachusetts, Docket No. 12556, File No. BP-11546; Naugatuck Valley Service, Inc., Naugatuck, Connecticut, Docket No. 12557, File No. BP-11962; for construction permits.

Pursuant to § 1.111 of the Commission's rules; *It is ordered,* This 7th day of January 1959, that the attorneys for the parties to this proceeding appear at 10:00 a.m. on Friday, January 9, 1959, at the offices of the Commission for a conference for the purpose of considering: (1) The status and proper disposition of: (a) A document entitled "Motion for Leave to File a Supplemental Engineering Exhibit," which may have been filed on behalf of Naugatuck Valley Service, Inc., on December 31, 1958, and (b) a document entitled "Motion For Extension of Time For The Exchange of Rebuttal Engineering Exhibits and section 307(b) Exhibits; and For Adjournment of Hearing Date," which was presented on behalf of Naugatuck Valley Service, Inc., in the office of the Hearing Examiner on January 2, 1959; and (2) such other matters as will be conducive to an expeditious conduct of the hearing.

Released: January 7, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-290; Filed, Jan. 12, 1959; 8:50 a.m.]

[Docket No. 12263; FCC 59-16]

INTERNATIONAL TELECOMMUNICATION UNION

Sixteenth Notice of Inquiry

In the matter of revision of the radio regulations of the International Telecommunication Union; Docket No. 12263.

1. The Fifth Notice of Inquiry in this proceeding included draft proposals for an international table of frequency allocations. That table made no specific provision for "space" communications. The Commission has reviewed the comments received thereon, the work of the Department of State Preparatory Committees concerned, and recent definitive "space" communication proposals brought to its attention by cognizant Government agencies and has concluded that the aforementioned table in the Fifth Notice of Inquiry in this proceeding should be amended so as to provide for space communications.

2. The Commission's revised proposal is designed to accommodate requirements for space communications and to provide a necessary minimum of definitions for the proposed new Earth/Space and Space services. Because of the urgency in formulating definitive U.S. proposals to be submitted to the International Telecommunication Union, a very limited time is being provided for comments on the proposals attached hereto.[1] Upon receipt of such comments, the Commission's representative on Department of State Preparatory Committee III will submit the attached proposal to that Committee, together with any amendments thereto which may appear desirable in the light of the comments received in response to this Notice of Inquiry.

3. The Commission emphasizes that it has not taken a final position with respect to this matter. Following consideration of the aforementioned revised proposal by the appropriate Department of State Preparatory Committees, the Commission's recommendations will then be made known to the Department of State, which has the overall responsibility for formulating the position of the United States in these matters. It should be noted that the Department of State receives recommendations not only from the Commission but also from other interested agencies of the Government.

4. Any interested person is invited to file comments with the Commission concerning this matter on or before January 21, 1959. In view of the necessity for preparing the United States position at the earliest possible time, the Commission does not expect to be able to grant an extension of time for filing comments. In accordance with the provisions of § 1.54 of the Commission's rules, an original and fourteen (14) copies of all comments shall be furnished to the Commission.

Adopted: January 7, 1959.

Released: January 8, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY J[illegible] MORRIS,
Secretary.

[F.R. Doc. 59-289; Filed, Jan. 12, 1959; 8:50 a.m.]

[Docket No. 12686; FCC 59M-11]

FAYETTEVILLE BROADCASTING CO., INC. (KHOG)

Order Scheduling Prehearing Conference

In re application of Fayetteville Broadcasting Company, Inc. (KHOG), Fayetteville, Arkansas, Docket No. 12686, File No. BP-11324; for construction permit.

It is ordered, This 7th day of January 1959, that a prehearing conference in the above-entitled proceeding will be held at 10:00 a.m., January 22, 1959, in the offices of the Commission, Washington, D.C.

Released: January 7, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary

[F.R. Doc. 59-291; Filed, Jan. 12, 1959; 8:50 a.m.]

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[1] Filed as part of original document.

[Docket Nos. 12694, 12695; FCC 59M-12]

TRI-COUNTY BROADCASTING CO. AND RADIO MISSOURI CORP. (WAMV)

Order Scheduling Prehearing Conference

In re applications of Sidney E. Simpson & Wilber J. Meyer d/b as Tri-County Broadcasting Company, Jerseyville, Illinois, Docket No. 12694, File No. BP-11423; Radio Missouri Corporation (WAMV), East St. Louis, Illinois, Docket No. 12695, File No. BP-12193; for construction permits.

The Hearing Examiner having under consideration the above-entitled proceeding;

It is ordered, This 6th day of January 1959, that all parties, or their attorneys, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in Washington, D.C., at 10:00 a.m., January 16, 1959.

Released: January 7, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-292; Filed, Jan. 12, 1959; 8:50 a.m.]

[Docket No. 12723]

SYDNOR KAVANAUGH BALCOM

Order Designating Matter for Hearing on Stated Issues

In the matter of Sydnor Kavanaugh Balcom, c/o Grand Hotel, 57 Taylor Street, San Francisco, California, Docket No. 12723; suspension of radiotelegraph first-class operator license.

The Commission having under consideration an application from Sydnor Kavanaugh Balcom for a hearing in the above-entitled matter;

It appearing that Sydnor Kavanaugh Balcom filed with the Commission within the time provided therefor, an application for a hearing on the Commission's order of December 3, 1958, suspending his Radiotelegraph First-Class Operator License; and

It further appearing that under the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, said licensee is entitled to a hearing in the matter, and that upon filing a timely written application therefor, the Commission's Suspension Order is held in abeyance until the conclusion of proceedings in said hearing.

It is ordered, This 31st day of December 1958, pursuant to section 303(m)(2) of the Communications Act of 1934, as amended, that the matter of suspension of the Radiotelegraph First-Class Operator License of Sydnor Kavanaugh Balcom is hereby designated for hearing at a time, place and before an Examiner to be specified by subsequent Order upon the following issues:

(1) To determine whether licensee failed to carry out orders of the master of the SS "Hawaii Bear" as set forth in the Commission's Order of Suspension.

(2) If licensee failed to carry out such orders whether the facts and circumstances in connection therewith would warrant any change in the terms of the Commission's Order of Suspension.

It is further ordered, That a copy of this order be transmitted by Certified Mail—Return Receipt Requested, to Mr. Sydnor Kavanaugh Balcom, % Grand Hotel, 57 Taylor Street, San Francisco, Calif.

Released: January 6, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-293; Filed, Jan. 12, 1959; 8:51 a.m.]

[Canadian List 128]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

DECEMBER 23, 1958.

Notifications under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
		980 kc				
New	Montreal, P.Q.	10 kw	DA-1	U	III	EIO 12-15-59 (modification of notification on list #114).
		1080 kc				
New	Prince Rupert, B.C.	5 kw	DA-1	U	II	Delete assignment.
		1110 kc				
New	Cornwall, Ontario. (Location: 45°00'27" N., 74°37'05" W.)	1 kw	DA	D	II	EIO 12-15-59.
		1250 kc				
CKBB	Barrie, Ontario	0.25 kw	ND	U	IV	Delete assignment vide 950 kc.
New	Midland, Ontario. (Location: 44°43'35" N., 79°53'38" W.)	0.25 kw	ND	U	IV	EIO 12-15-59.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-297; Filed, Jan. 12, 1959; 8:51 a.m.]

[Docket Nos. 12720, 12721; FCC 59M-16]

VALLEY BROADCASTING CO. AND MINERS BROADCASTING SERVICE, INC.

Order Scheduling Hearing

In re applications of Valley Broadcasting Company, Lehighton, Pennsylvania, Docket No. 12720, File No. BP-11651; Miners Broadcasting Service, Inc., Kingston, Pennsylvania, Docket No. 12721, File No. BP-11795; for construction permits.

It is ordered, This 7th day of January 1959, that Annie Neal Huntting will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 17, 1959, in Washington, D.C.

Released: January 8, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-294; Filed, Jan. 12, 1959; 8:51 a.m.]

[Docket No. 12699; FCC 59M-15]

THOMAS JOSEPH GARVEY

Order Continuing Hearing

In the matter of the applications of Thomas Joseph Garvey, Docket No. 12699, File Nos. 22-C2-P-59 1137-C2-L-59; for authorizations for a construction permit and a license for a new one-way signalling service in the Domestic Public Land Mobile Radio Service in New Orleans, Louisiana (call sign KKT407).

It appearing that applicant Thomas Joseph Garvey has filed on December 23, 1958, a pleading in this matter entitled "Request to Dismiss Proceeding and Reaffirm Grant"; and

It further appearing that in view of the submission of the above-described Request, it is appropriate that the hearing now scheduled to commence on Wednesday, January 14, 1959, should be continued for an indefinite period pending consideration and action thereon;

Accordingly, it is ordered, This 7th day of January 1959, that the hearing in this proceeding now scheduled for January 14, 1959, is continued without date pending action on the applicant's above-mentioned Request.

Released: January 8, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-295; Filed, Jan. 12, 1959; 8:51 a.m.]

[Docket No. 12723; FCC 59M-17]

SYDNOR KAVANAUGH BALCOM

Order Scheduling Hearing

In the matter of Sydnor Kavanaugh Balcom, % Grand Hotel, 57 Taylor Street, San Francisco, California, Docket No. 12723; suspension of radiotelegraph first-class operator license.

It is ordered, This 7th day of January 1959, that Forest L. McClenning will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 17, 1959, in San Francisco, Calif.

Released: January 8, 1959.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-296; Filed, Jan. 12, 1959; 8:51 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[General Order 46, Revised]

BUREAU OF EMPLOYEES' COMPENSATION AND EMPLOYEES' COMPENSATION APPEALS BOARD

Delegations of Authority

By virtue of and pursuant to the authority vested in me by R.S. 161 (5 U.S.C., sec. 22) and Reorganization Plan No. 19 of 1950 (15 F.R. 3178, 64 Stat. 1271) and in accordance with the Federal Employees' Compensation Act, as amended and extended (5 U.S.C., secs. 751–801), the Longshoremen's and Harbor Workers' Compensation Act, as amended and extended (33 U.S.C., secs. 901–950), the Defense Base Act (42 U.S.C., secs. 1651–1654), the War Hazards Compensation Act (42 U.S.C., secs. 1701–1717), section 3 of Reorganization Plan No. 2 of 1946 (11 F.R. 7873, 60 Stat. 1095), and the War Claims Act of 1948, as amended (50 App. U.S.C., secs. 2001–2016), it is hereby ordered:

1. Subject to applicable General Orders and Secretary's Instructions relating to personnel and business management, the Director of the Bureau of Employees' Compensation shall serve as administrative head of such Bureau in the administration of the functions thereof.

2. All functions heretofore performed by the Director under the authority of the above Acts and all functions vested in the Secretary of Labor under section 1 of Reorganization Plan No. 19 of 1950 shall be performed, under the general direction and control of Assistant Secretary Gilhooley, by or under the direction of the Director of the Bureau of Employees' Compensation, except:

(a) The functions, duties, and powers authorized under section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, including the issuance of any regulations pertaining to such functions, duties and powers, and those functions authorized under section 33(b) and (c) of the Federal Employees' Compensation Act, as amended;

(b) The preparation and submission of annual and other reports and recommendations to the Congress.

3. Subject to applicable General Orders and Secretary's Instructions relating to personnel and business management, the Employees' Compensation Appeals Board shall have authority to hear and, subject to applicable law and the rules and regulations of the Secretary of Labor, to make final decisions on appeals taken from determinations and awards with respect to claims of employees of the Federal Government or of the District of Columbia. The Secretary of Labor shall have the function of preparing and submitting to the Congress the annual and other reports and recommendations of the Board.

4. This Order shall become effective immediately and shall supersede all prior orders, instructions, regulations, or memoranda of the Secretary of Labor to the extent that they are inconsistent herewith.

JAMES P. MITCHELL,
Secretary of Labor.

DECEMBER 31, 1958.

[F.R. Doc. 59-276; Filed, Jan. 12, 1959; 8:48 a.m.]

[General Order 98]

DIRECTOR, BUREAU OF LABOR STANDARDS

Assignment of Safety Functions

1. By virtue of and pursuant to the authority vested in me by the Act of March 4, 1913 (5 U.S.C., 611), section 1 of Reorganization Plan No. 19 of 1950 (15 F.R. 3178, 64 Stat. 1271), section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (33 U.S.C., 941, as amended by the Act of August 23, 1958, 72 Stat. 835), section 33(b) and (c) of the Federal Employees' Compensation Act, as amended (5 U.S.C. 783(b) and (c)), Reorganization Plan No. 6 of 1950 (15 F.R. 3174, 64 Stat. 1263), and R.S. 161 (5 U.S.C., 22), the Director of the Bureau of Labor Standards or his authorized representative, under the general direction and control of Assistant Secretary Gilhooley, is hereby authorized to perform all the functions vested in the Secretary of Labor by section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, and section 33(b) and (c) of the Federal Employees' Compensation Act, as amended, including the issuance of interpretations on the advice of the Solicitor; except that the following functions shall be performed by the Secretary of Labor:

(a) The issuance, amendment, or rescission of rules and regulations;

(b) The bringing of court proceedings under section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, the determination in each case whether such proceedings are appropriate to be made by the Solicitor of Labor; and

(c) The preparation and submission of annual and other reports and recommendations to the Congress.

2. This order shall become effective immediately and shall supersede all prior Orders, Instructions, Regulations, or Memoranda of the Secretary of Labor to the extent that they are inconsistent herewith.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-277; Filed, Jan. 12, 1959; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-17346]

SUN OIL CO.

Order for Hearing and Suspending Proposed Change in Rate

DECEMBER 31, 1958.

Sun Oil Company (Sun), on December 1, and December 15, 1958, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated November 25, 1958.

Purchaser: Trunkline Gas Company.

Rate schedule designation: Supplement No. 5 to Sun's FPC Gas Rate Schedule No. 89.

Effective date: January 1, 1959 (effective date is that proposed by Sun).

In support of the proposed periodic increased rate, Sun cites the provisions of its basic contract which, it states, was negotiated at arm's-length. Sun also asserts that the proposed rate will not exceed the value of gas in the same general area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 5 to Sun's FPC Gas Rate Schedule No. 89 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate

[1] The presently effective rate sought to be changed herein is subject to refund in Docket No. G-15743 (La. Tax) and in Docket No. G-13937.

and charge contained in Supplement No. 5 to Sun's FPC Gas Rate Schedule No. 89.

(B) Pending hearing and decision thereon, the supplement is hereby suspended and the use thereof deferred until June 1, 1959, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State Commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-261; Filed, Jan. 12, 1959; 8:46 a.m.]

[Docket No. G-17375]

PRODUCING PROPERTIES, INC.

Order for Hearing and Suspending Proposed Change in Rate

DECEMBER 31, 1958.

Producing Properties, Inc. (Producing Properties) on December 1, 1958, tendered for filing a proposed change in its presently effective rate schedule for sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Colorado Interstate Gas Company.
Rate schedule designation: Supplement No. 7 to Producing Properties FPC Gas Rate Schedule No. 3.
Effective date: January 1, 1959 (effective date is the date proposed by Respondent).

In support of the proposed rate increase Producing Properties submitted two statements containing cost data applicable to gas operations from the property involved for the fiscal year ended August 31, 1958. One statement shows the actual income to the company exclusive of the income reserved for the production payment. The other statement includes the principal amount of the production payment in the rate base, and treats as an expense the equivalent interest carried by the production payment. In either case a net loss is shown although the cost per Mcf is not computed.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 7 to Producing Properties' FPC Gas Rate Schedule No. 3 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 7 to Producing Properties' FPC Gas Rate Schedule No. 3.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until June 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-262; Filed, Jan. 12, 1959; 8:46 a.m.]

[Docket No. G-17376]

PRODUCING PROPERTIES, INC., ET AL.

Order for Hearing and Suspending Proposed Change in Rate

DECEMBER 31, 1958.

Producing Properties, Inc., et al. (Producing Properties) on December 1, 1958, tendered for filing a proposed change in its presently effective rate schedule for sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Tennessee Gas Transmission Company.
Rate schedule designation: Supplement No. 6 to Producing Properties' FPC Gas Rate Schedule No. 4.
Effective date: January 1, 1959 (effective date is the date proposed by Respondent).

In support of the proposed rate increase Producing Properties submitted two statements containing cost data applicable to gas operations from the property involved for the fiscal year ended August 31, 1958. One statement shows the actual income to the company exclusive of the income reserved for the production payment. The other statement includes the principal amount of the production payment in the rate base, and treats as an expense the equivalent interest carried by the production payment. In either case a net loss is shown although the cost per Mcf sold is not computed.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 6 to Producing Properties' FPC Gas Rate Schedule No. 4 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Producing Properties' FPC Gas Rate Schedule No. 4.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until June 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-263; Filed, Jan. 12, 1959; 8:46 a.m.]

[Docket No. G-3018]

LELAND DAVISON AND RALPH PEMBROOK

Notice of Application and Date of Hearing

JANUARY 6, 1959.

Take notice that Leland Davison, and Ralph Pembrook (Applicants), independent producers with their place of business in Midland, Texas, filed an application on September 23, 1954, as amended November 12, 1958, for a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act, authorizing the Ap-

plicants to sell natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicants sell natural gas to El Paso Natural Gas Company under a contract dated November 28, 1953, which is on file with the Commission as Leland Davison et al. FPC Gas Rate Schedule No. 1. The production of gas covered by the above contract is in the Spraberry Trend Area, Reagan County, Texas.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 17, 1959, at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c)(1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 4, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-264; Filed, Jan. 12, 1959; 8:46 a.m.]

[Docket No. G-17167 etc.]

WESTERN NATURAL GAS CO. ET AL.

Order for Hearings and Suspending Proposed Changes in Rates [1]

DECEMBER 12, 1958.

In the matters of Western Natural Gas Company (Operator) et al., Docket No. G-17167; Western Natural Gas Company, Docket No. G-17168; Consolidated Oil & Gas, Inc. (Operator) et al., Docket No. G-17169; Argo Oil Corporation, Docket No. G-17171; T. H. McElvain et al., Docket No. G-17172.

The above-named Respondents have tendered Notices of Change which propose increased rates and charges in their presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the Respondents propose an effective date of January 1, 1959, and the purchaser in each case is El Paso Natural Gas Company. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Respondent	Rate schedule	Supp. No.	Date of notice of change	Date tendered
1. Western Natural Gas Co. (operator) et al	10	2	Undated	Oct. 27, 1958
2. Western Natural Gas Co	14	1	do	Do.
Western Natural Gas Co	11	1	do	Do.
3. Consolidated Oil & Gas, Inc. (operator) et al	2	6	Oct. 22, 1958	Oct. 23, 1958
4. Argo Oil Corp	27	2	Undated	Nov. 10, 1958
Argo Oil Corp	30	4	do	Do.
5. T. H. McElvain, et al	1	1	Nov. 3, 1958	Nov. 6, 1958

In support of the proposed increased rates and charges, Western Natural Gas Company, Western Natural Gas Company (Operator) et al. (both referred to as Western) and Argo Oil Corporation (Argo) cite the contract price escalation provisions and state that the contracts were negotiated at arm's length. In addition, Western states that graduated price arrangements are common in long-term contracts and permit buyers to receive initial deliveries at a low price during the time their unamortized capital investment is high while assuring sellers progressively higher returns contemporaneously with increases in production, development and operating costs. Western also states that its proposed prices are fair, just and reasonable in all respects. Argo states that its contracts were executed with the knowledge that the initial price was probably less than the fair field price, and that to continue the sale at such low price would amount, in effect, to confiscation of its property. Argo further states that in view of the small volumes of gas involved it would be impractical to prepare a cost of service study, and that the increased price is a fair field price and is justified on that basis. Consolidated Oil & Gas, Inc. (Operator) et al. merely cites the contract provision, and T. H. McElvain, et al. offers nothing in support of his increase.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decision thereon, the aforesaid supplements each hereby are suspended until June 1, 1959, and thereafter until each is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested state commissions may participate as provided by § 1.8 or 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.37(f)).

By the Commission (Commissioners Kline and Hussey dissenting).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-266; Filed, Jan. 12, 1959; 8:46 a.m.]

[1] This order does not provide for the consolidation for hearing of the above dockets, nor should it be so construed.

[Docket No. G-15754]

PLACID OIL CO. ET AL.

Order Permitting Change in Rates Due to Reduction in Louisiana Gathering Tax and Increase in Louisiana Severance Tax

JANUARY 6, 1959.

On December 4, 1958, Placid Oil Company (Operator) et al. (Placid) tendered for filing a proposed change in rates designated Supplement No. 9 to its FPC Gas Rate Schedule No. 14, reflecting the decrease in the Louisiana gathering tax and the increase in the Louisiana severance tax, effective December 1, 1958. By order of the Commission issued July 31, 1958, at Docket No. G-15754 the increase proposed by Placid was suspended and has not as yet been made effective subject to refund.

Inasmuch as the instant filing affects only the tax portion of the rate for gas in effect subject to refund it in no way effects the suspension proceeding in Docket No. G-15754.

The Commission finds:

(1) It is appropriate and in the public interest that the change in rates affecting a reduction and an increase in the tax portions of Placid's FPC Gas Rate Schedule No. 14 be permitted to become effective December 1, 1958.

(2) The change in rates herein provided pursuant to Placid's filing of December 1, 1958, in no way amends, modifies, or changes the rate suspension proceedings involved in Docket No. G-15754 pursuant to the Commission's order issued July 31, 1958.

The Commission orders: In accordance with the findings herein, Supplement No. 9 to Placid's FPC Gas Rate Schedule No. 14 be and the same is hereby permitted to become effective December 1, 1958, provided, however, that it in no way amends, modifies, or changes the rate suspension proceedings involved in Docket No. G-15754.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-265; Filed, Jan. 12, 1959; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Dissolution Order 123]

WESTMINSTER INDUSTRIAL CORP.

Whereas, by virtue of the issuance of Vesting Order No. 18, dated June 4, 1942 (7 F.R. 4402), and other actions taken under the Trading With the Enemy Act, as amended, the Attorney General of the United States (hereinafter referred to as "Attorney General"), successor to the Alien Property Custodian, holds all of the issued and outstanding capital stock of Westminster Industrial Corporation (hereinafter sometimes referred to as the "Corporation"), a corporation organized under the laws of the State of New York; and

Whereas, by Vesting Order No. 348, dated November 9, 1942 (7 F.R. 9366), the Alien Property Custodian vested all rights in any indebtedness owing by the Corporation to Overseas Finance Corporation, Ltd., of Liestal, Switzerland, and it has been ascertained that certain claims aggregating $168,056.00 of Overseas Finance Corporation against the Corporation were thereby vested in the Alien Property Custodian, and subsequently transferred to the Attorney General as successor to the Alien Property Custodian; and

Whereas, by Subordination Order No. 8, dated May 17, 1945 (10 F.R. 5966), the Alien Property Custodian directed the Corporation to subordinate the aforesaid claims of Overseas Finance Corporation to the claims of other creditors of and claimants against the Corporation; and

Whereas, the Corporation has been substantially liquidated.

Now, therefore, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the assets of the Corporation consists of cash in the amount of $8,416.10;

2. Finding that the claims of all known creditors have been paid, except such claim as the Attorney General may have for moneys advanced or services rendered to or on behalf of the Corporation, and except the claim formerly of Overseas Finance Corporation, Ltd., in the amount of $168,056.00 which has been vested in the Attorney General and subordinated as aforesaid; and

3. Having determined that it is in the national interest of the United States that the Corporation be dissolved, that its affairs be wound up and that its assets be distributed, and a Certificate of Dissolution of the Corporation having been issued by the Secretary of State of the State of New York, and duly published in accordance with the statutes of that State;

Hereby orders, that the officers and directors of the Corporation (to wit: Stanley B. Reid, President and Director, and Lewis M. Reed, Secretary and Director, and their successors or any of them) wind up the affairs of Westminster Industrial Corporation and distribute the assets of the Corporation coming into their possession as follows:

(a) They shall first pay all current expenses and necessary charges in effecting the winding up of the affairs of the Corporation; and

(b) They shall then pay all known federal, state, and local taxes and fees, if any, owed by or accruing against the Corporation; and

(c) They shall then pay to the Attorney General all funds of the Corporation remaining in their hands, the same to be applied first, in satisfaction or reduction of the claim in the amount of $168,056.00 vested by Vesting Order No. 348, as aforesaid and second, in satisfaction of such claim as the Attorney General may have for moneys advanced or services rendered by the Alien Property Custodian or the Office of Alien Property to or on behalf of the Corporation, and third, as a liquidating distribution of assets to the Attorney General as sole stockholder of the Corporation; and

(d) They shall then transfer, assign, convey, and deliver to the Attorney General, as sole creditor and stockholder, all remaining assets or property, if any, of the Corporation of whatever kind or nature (including any after-discovered assets or property, and all claims and causes of action of whatever kind or nature), any proceeds upon liquidation of such assets or property to be applied to the purposes and with the priorities specified in paragraph (c) above; and

Further orders, that nothing herein set forth shall be construed as prejudicing the rights under the Trading With the Enemy Act, as amended, of any person who may have a claim against the Corporation to file such claim with the Attorney General against any assets or property received by the Attorney General hereunder: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such person: *And provided further,* That any such claim against said Corporation shall be filed with or presented to the Attorney General within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and

Further orders, that all actions taken and acts done by the officers and directors of Westminster Industrial Corporation pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to section 5(b)(2) of the Trading With the Enemy Act, as amended (50 U.S.C. App. 5), and the acquittance and exculpation provided therein.

Executed at Washington, D.C., on December 31, 1958.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F.R. Doc. 59-242; Filed, Jan. 9, 1959; 8:47 a.m.]

[Vesting Order SA-264]

N. POULIEFF & CIE.

In re: Debt or other obligation owned by N. Poulieff & Cie., Sofia, Bulgaria; F-11-148.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F.R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F.R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of Caterpillar Tractor Co., Peoria, Illinois, arising out of a blocked account on its books entitled, "Blocked Export Dealer Account No. 714," together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended and remained blocked on August 9, 1955, and which is and as of September 15, 1947, was owned directly or indirectly by N. Poulieff & Cie., Sofia, Bulgaria, a national of Bulgaria as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Set-

tlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D.C., on January 7, 1959.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F.R. Doc. 59-284; Filed, Jan. 12, 1959; 8:49 a.m.]